

GERMAN STEAMERS MUST BE REMOVED BY BOARD'S ORDER

Resolution Submitted To Attorney-General Who Finds Commission Within Its Rights

CAPTAIN FOSTER WILL BE ORDERED TO MOVE SHIPS

Officials Determined To Take No Chances Of Injury To the Port

The eight German refugee merchant vessels now lying in Honolulu harbor must get out. A resolution to that effect was adopted by the board of harbor commissioners at a special executive session yesterday. The attorney-general says that the harbor board has a legal right to adopt and enforce this order, and Captain Foster, harbormaster, will be instructed to take the vessels outside at once.

For practically two years the eight German vessels have been lying in the harbor, where they took refuge from their British and Japanese enemies who were scouring the Pacific for German shipping. They were received here with hospitality and treated like citizens. The officers and crews of the ships wrecked the machinery of their ships and tried to sink two of them in the harbor during the week prior to February 3, the date on which the crew of the German cruiser Goerz set fire to the vessel with intent to destroy her.

In view of the strained relations between Germany and the United States, the imminent danger of war, and the fact that the Germans had already shown themselves ready to resort to desperate measures, the presence of the German vessels in the harbor has, since February 3, been regarded as a grave menace. As the Advertiser has pointed out, the crews of the vessels are aboard, unguarded, and there is nothing to prevent their blowing up their craft, possibly killing many innocent people, and damaging property, or having one of the big vessels towed to the harbor entrance and sunk, thereby closing the harbor.

Indeed, it has been reported during the past week that further damage had been done to the big steamer Pommer by her crew, and there have been rumors, which have received general credence, although unproved, that explosives have been found aboard some of the vessels.

Last Tuesday, February 26, Representative Bernard Kelekeho, of Hilo, introduced in the house of representatives a resolution calling attention to the menace of the continued presence in Honolulu harbor of the German craft, and instructing the harbor board immediately to order them outside.

It was not on account of this resolution, however, that the harbor board acted yesterday; for the resolution was hurried in committee, where it was carefully smothered.

The resolution went to the military committee, of which Silva, of Hilo, is chairman. Last Saturday morning Kelekeho arose and demanded to know what had become of it. Speaker Holstein addressed a few remarks in Hawaiian to him and Kelekeho subsided without getting any answer from the chairman of the committee.

Yesterday Chairman Silva was asked what had become of the resolution, and when it was to be reported out of committee. He assumed a look of great alarm, made a s-h-h-hing sound, and declared in a sub-bass tone of voice that nothing had been done and nothing was to be done. The harbor board, he said, didn't want the resolution adopted. This was after the harbor board had already, on its own initiative, adopted a resolution of similar import.

Silva further stated that matters of great international import were involved, and that for the legislature to adopt Kelekeho's resolution might entail serious consequences. He did not actually say that war with Germany would result, but his words and manner indicated that that would be the least serious of a whole string of catastrophes.

To make the matter more mysterious, Silva stated that he had conferred with Captain Clark, commandant of the Pearl Harbor naval station, and the officer had told him that Kelekeho's resolution must on no account be adopted. Captain Clark, Silva said, had told him enough of the serious international situation to make him realize the dangerous consequences of ordering the German steamships out of the harbor.

It seems, also, from Silva's statement, that Charles R. Forbes, chairman of the harbor board, wrote a letter to the legislature in reference to Kelekeho's resolution, but that, on advice of the attorney-general, he had withdrawn it. It would be extremely dangerous to have that letter made public, Silva added.

C. J. McCarthy, member of the harbor commission, said that the board had all along wanted to get rid of the German ships, but had not taken action before because it didn't know whether or not it had the right to order them outside. The resolution adopted yesterday, he said, had been referred to the attorney-general for an opinion as to the authority of the harbor board to order the German ships towed outside. If the attorney-general held that the board had such right, harbormaster Foster would be given instructions at once to take them outside.

Attorney-General Stainback stated later that the harbor board was entirely within its legal rights in the resolution it had adopted.

The point has been raised that in the event of a kona storm coming while the

PEPEKEO ENJOYS PROSPEROUS YEAR

Crop Now Being Harvested Is Estimated To Produce 11,500 Tons Sugar

Pepeekeo Sugar Company's prosperous year past was reviewed yesterday at the annual meeting of stockholders in the reports of James Webster, manager, and George H. Robertson, treasurer.

The net profit on Pepeekeo's crop for 1916, including sundry profits, was \$415,959.04. Dividends paid during the year totaled \$375,000. The balance carried forward to 1917 is \$736,648.51, against the balance from 1915 of \$605,989.27. The book value of the company's properties increased by \$53,921.04 during the year to \$740,710.35, while assets stand at \$1,532,046.08 and liabilities at \$25,397.77, with the capitalization at \$750,000.

Reviewing crop conditions, Manager Webster stated that the 1916 crop finished better than was anticipated, despite the adverse conditions encountered by the crop in 1914. Of the crop now being harvested, he reports:

"The 1917 crop covers practically the same area as that of 1915, and from all appearances looks as if it should give about the same yield. Our preliminary estimate of 11,500 tons of sugar still holds good."

He adds that extensive additions to the boiling house prevented an early start, grinding having gotten under way late in January. Wet weather has held up field work, besides leaching and washing the soil badly.

The report states that the 1916 crop had a favorable start, but the heavy rains hit the upper lands of the home-stands rather adversely. The company's own fields have thickened up appreciably over the crop just taken off.

Considerable trouble was had with the rollers and boilers during the past season, the manager reports; but extensive repairs and addition of new apparatus have put the plant in good condition.

Officers were re-elected at the meeting as follows: E. F. Bishop, president; W. H. Baird, vice-president; George H. Robertson, treasurer; E. A. R. Ross, secretary; S. M. Damon, director, and T. R. Robinson, auditor.

DAWN MOORE GIVEN DAMAGES BY COURT

Awarded \$1000 In Her Suit Against Great Northern

In the federal court yesterday afternoon Judge Vaughan rendered a decision in the admiralty case of Dawn Moore versus the Great Northern Steamship Company.

Plaintiff is awarded damages in the sum of \$1000, half this amount to be divided among the protectors, George F. Davis, George S. Curry and S. B. Kemp.

Dawn Moore sued the steamship company for wrongful search and detention aboard the Great Northern in Hilo last January. She was suspected of having stolen diamonds concealed about her person.

Damages asked were \$5000, with an additional sum of \$750 for expenses and maintenance.

PROBING CHARGE AGAINST POSTMASTER AT WAIPAHU

No arrest has yet been made in the matter of Postmaster John G. Lewis of Waipahu, who is alleged by a Kona man to have embezzled \$161.65 belonging to him. It was stated by federal officials yesterday that the complaint has been lodged with them and that the postoffice department is investigating the matter, but that no warrant until an order is made to United States District Attorney Huber through a charge from the postoffice department.

Lewis will continue to hold office until his successor, William Miner, who has already been nominated by the President, is confirmed and has qualified. On account of there being no postoffice inspector here at present the local postal officials have laid the facts of the Lewis case before the Coast postal authorities and are awaiting their advice.

German ships, rendered helpless by their own crews, were anchored outside, they might be wrecked. The harbor board felt, however, that it would be better to have the German steamships piled up on the reef than to leave them lying at the wharves of Honolulu, where they might wreck infinitely more serious damage, not only to themselves, but to territorial property and the people of the city.

So far as instructions have been received by the harbormaster, there is no provision for action beyond the notice to H. Hackfeld & Co., agents, to remove the Seta and Pommern. The harbormaster, however, is unofficially acquainted with the complete plan of the commission.

"I have just received a copy of the resolution passed this morning by the harbor commissioners instructing me to serve notice upon H. Hackfeld & Co., to move these vessels," stated Captain William H. Foster, the harbormaster, last night. "I will serve this notice on the agents on Tuesday morning, and they will have twenty-four hours from that time in which to remove the refugees named from Piers 7 and 16, where they now lie. There are no instructions in this resolution detailing any action in case of a refusal, but I expect that the situation will be fully covered by the time it gets that far."

DECISION DAY IS PASSED BY COURT

More Than Two Score Verdicts Will Be Handed Down By Justices Today

(Concluded from Page 1)
It is indefinite, uncertain, unworkable, incapable of application without judicial interpretation, fixes no standard for computing the "amount of wages," is a mere temporary expedient and exerts no influence on the constitutional liberty of contract and takes no account of the "due process of law." Also they insisted it is class legislation, benefiting only fifteen per cent—and those the highest paid—of railroad employees, and prescribes excessive penalties. The roads denied that congress, in regulating commerce, has the right to fix employees' wages; contended that the law is "solely and primarily" a wage fixing law and does not limit employment to 8 hours daily. Especially the railroads attacked Section 3 of the bill, providing for the immediate temporary increase, as taking of property without due process of law.

Power of congress to fix wages was the basic principle contested. The department of justice maintained that for public interest in unobstructed transportation, in efficient safe train operation by conserving energy of operatives and having them paid fair wages, congress has authority to fix hours of labor and wage standards.

To the charge that the temporary increase takes railroad property without "due process," the federal authorities contended congress has such power in preventing stoppage of commerce, by a strike or otherwise. Disturbance of existing wage contracts and negotiation of new ones, it was insisted, should not render the law void. Congress' authority being supreme.

MENOCAL WANTS TO SUSPEND CONSTITUTION

(Associated Press By Federal Wireles)
NEW YORK, March 6.—Despatches from Havana last night announced that President Menocal of Cuba has asked for the suspension of all constitutional rights and decrees, in an effort to put an end to what he terms "habitual revolutionary activities." Prospect of a speedy settlement of the Cuban revolution being brought about was announced by Dr. Orestes Ferrer, Liberal representative. He said he had received a telegram from the approval of Secretary of State Lansing for Commander Belknap, commanding the fleet in Cuban waters, to hold a conference at Santiago with Liberal leaders, to make the guarantee effective by the United States of a fair election in Oriente province.

DESTROYER VICTIM OF HEAVY GALE ON COAST

(Associated Press By Federal Wireles)
ASTORIA, Oregon, March 6.—The torpedo boat destroyer Goldsborough reached here yesterday badly battered by a heavy gale at sea. She was on her way from Bremerton navy yard to Portland, when caught in the storm. Her wireless was smashed by the wind and waves, her life boats torn adrift and lost and her rudder damaged.

SCHOONER BURNED OFF COAST OF HONDURAS

(Associated Press By Federal Wireles)
MOBILE, March 6.—Word has reached here of the loss of the Nicaraguan schooner Omer G, formerly the American schooner of that name, off the Honduran coast. The burned hulk of the schooner was sighted and identified. There has been no trace found of the crew. The schooner cleared from this port for La Romana and Saint Marc on January 8.

TONG WAR BREAKS OUT ON THE COAST

(Associated Press By Federal Wireles)
SAN FRANCISCO, March 6.—Five men were killed and two mortally wounded and three others badly wounded by the outbreak of the long expected tong war yesterday. The war broke out in Oakland, California, between the San Jose and Seattle. Frightened tongmen fled to Sacramento, which is neutral ground, for safety.

ATLANTIC LINER SUNK

(Associated Press By Federal Wireles)
NEW YORK, March 5.—Advice from Rio de Janeiro and London indicated that the liner Drina has been sunk between Lisbon and Liverpool, with all the passengers rescued and landed.

TROUBLE AVERTED.

That little cold and sore throat of yours must be checked at once or it may develop into something worse. Take a few doses of Chamberlain's Cough Remedy and your troubles will soon vanish. For sale by all dealers, Benson Smith & Co., agents for Hawaii.

KOLOA VOTES STOCK DIVIDEND OF \$250,000

Regular Monthly One Per Cent Dividend Continued On New Capitalization

Another sugar plantation company has decided to increase its capital stock by cutting a substantial dividend for its stockholders. Koloa Sugar Company, it was announced yesterday, has voted a stock dividend of thirty-three and a third per cent, or \$250,000. Action was taken at the annual meeting of shareholders last Tuesday.

Koloa's present capitalization is \$750,000, consisting of 7500 shares of a par value of \$100 each. The present stock dividend will raise the capitalization to \$1,000,000 and will give each shareholder one new share for every three shares now held.

Regular monthly dividends of one per cent will continue to be paid on the new capitalization, raising Koloa's monthly disbursement from \$7500 to \$10,000, or \$120,000 a year. Last year Koloa paid four extra monthly dividends of six per cent each, making the annual dividends \$270,000, or at the rate of thirty-six per cent on the capitalization. The stock is selling for \$207.50 on the local exchange.

The increase in capitalization will take effect as of April 5, 1917. Last week Wailua Agricultural Company increased its capitalization, by declaration of a \$500,000 stock dividend, to \$5,000,000. This increase will take effect as of May 18.

JURORS SELECTED BY LOCAL FEDERAL COURT

Petit and grand jurors for the April, 1917, term of the United States District Court of the Territory of Hawaii, were drawn at a session of the federal court held yesterday morning.

The jurors are in Honolulu unless otherwise specified. Following is the list:

List of Grand Jurors:
Gus J. Beecher, Lahaina; Jesse M. McChesney, H. S. Hagerup, Lahaina; Henry Nephom, Kekaha, Kauai; Wilham Smith, Hilo; Frank Cox, Waimanalo, Kauai; C. K. Ais, Stanley, E. Kennedy; Wm. H. Johnson, Hilo; Wm. A. Perry, Ewa; William K. Buchanan, Lahaina; Daniel T. Carey, Wailuku; Allison P. Clark; Andrew Nelson; James N. Anahua; Manuel P. Peter; Thos. H. Hughes; A. W. Van Valkenburg; Jesse O. Young; Arthur J. Williams, Ewa; William H. Henderson, Pahoa, Puna, Hawaii; Thomas J. Quinn; William Allen, Lahaina.

List of Petit Jurors:
Harry L. Kerr; John P. Benton. Ewa; Henry P. Bertelmann; David F. Thurman; George Ross, Hakalau, Hawaii; C. W. Smith, Makaweli, Kauai; Geo. E. McCortley; Wm. Lee Shovalter; Wainana, Oahu; A. Carley, E. Wainana, Hawaii; Geo. W. Farr; Wm. G. Gedge; Frank Crawford, Lihue, Kauai; Kenneth C. Hopper, Lihue, Kauai; Alfred C. Hagen; Chas. H. Bellina; O. L. Sorenson, Kamuela, Hawaii; Charles A. Biding; Edgar J. Walker, Puna, Maui; James T. Taylor; Wm. J. Bell, Hilo; Wm. Lee Shovalter; Wainana, Oahu; A. Carley, E. Wainana, Hawaii; Geo. W. Farr; Wm. G. Gedge; Frank Crawford, Lihue, Kauai; Kenneth C. Hopper, Lihue, Kauai; Alfred C. Hagen; Chas. H. Bellina; O. L. Sorenson, Kamuela, Hawaii; Charles A. Biding; Edgar J. Walker, Puna, Maui; James T. Taylor; Wm. J. Bell, Hilo; Wm. Lee Shovalter; Wainana, Oahu; A. Carley, E. Wainana, Hawaii; Geo. W. Farr; Wm. G. Gedge; Frank Crawford, Lihue, Kauai; Kenneth C. Hopper, Lihue, Kauai; Alfred C. Hagen; Chas. H. Bellina; O. L. 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